

**LEGAL NOTICE
USDA Forest Service
Deschutes National
Forest
Bend-Fort Rock
Ranger District
Notice of Opportunity
to Object**

**Midstate Substation to
State Rec Road
Transmission Line
and Forest Plan
Amendment**

This legal notice announces the availability of the Environmental Assessment for the Midstate Substation to State Rec Road Transmission Line and Forest Plan Amendment Project and also provides information on how to object to the proposed decision to implement Alternative 2. The project is located southeast of the community of Sunriver and north of the town of La Pine. Legal descriptions are: Township 21 South, Range 11 East, Sections 8, 17, 20, 29, 32 and Township 22 South, Range 11 East, Sections 5, 7, 8, 17, and 18.

John Allen, Deschutes National Forest Supervisor, has decided to implement Alternative 2 as described in the EA. The proposed decision authorizes the issuance of a special use permit to Midstate Electric Cooperative to construct, operate and maintain a transmission line on Forest Service lands adjacent to an existing right-of-way.

The analysis has been completed and the project is now subject to the predecisional administrative review process pursuant to 36 CFR 218 subparts A and B

(the objection process). The EA and draft Decision can be obtained by contacting Cristina Peterson, NEPA Planner, Bend-Fort Rock Ranger District, 63095 Deschutes Market Road, Bend, OR 97701, by phone at 541-383-4028 or you can view these documents on the Deschutes website at: https://data.ecosystem-management.org/ne-paweb/nepa_project_exp.php?project=46803.

During the objection period, only individuals or organizations that submitted specific written or oral comments (36 CFR 218.2) during a designated opportunity for public participation (scoping or the 30-day public comment period) may object (36 CFR 218.5). Notice of objection must meet the requirements of 36 CFR 218.2. Objections can be submitted in writing, either electronically or in hard copy but must be filed with the Reviewing Officer within 45 days following the publication date of the legal notice of the opportunity to object in The Bulletin, Bend, OR. The publication date of the legal notice is the exclusive means for calculating the time to file an objection. Those wishing to file an objection to this draft decision should not rely upon dates or timeframe information provided by any other source. Objections sent by mail must be received before the close of the fifth business day after the objection filing period.

Incorporation of documents by reference is not allowed, except for the following list of items that may be referenced by including date, page, and section of the cited document, along with a description of its content and applicability to the objection: 1) all or any part of a federal law or regulation; 2) Forest Service directives and land management plans; 3) documents referenced by the Forest Service in the subject EA; or 4) comments previously provided to the Forest Service by the objector during public involvement opportunities for the proposed project where written comments were requested by the Responsible Official. All other documents must be included with the objection (36 CFR 218.8(b)).

Issues raised in objections must be based on previously

submitted specific written comments regarding the proposed project or activity and attributed to the objector, unless the issue is based on new information that arose after the opportunities for comment. The burden is on the objector to demonstrate compliance with the requirement for objection issues 36 CFR 218.8(c).

Minimum requirements of an objection are described at 218.8(d). An objection must include a description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; supporting reasons for the reviewing officer to consider; and a statement that demonstrates the connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunities for comment.

Objections may be:

- Objections may be mailed to: Regional Forester, Objector, Reviewing Officer, Pacific Northwest Region, USDA Forest Service, Attn: 1570 Appeals and Objection, PO Box 3623, Portland, OR 97208-3623.

- For emailed objections, please email to: objections-pnw-region-al-office@fs.fed.us. Please put OBJECTION and the project name in the subject line. Electronic objections must be submitted as part of an actual e-mail message, or as an attachment in Microsoft Word (.doc), rich text format (.rtf), or portable document format (.pdf) only. For electronically mailed objections, the sender should normally receive an automated electronic acknowledgement of the receipt of the objection; it is the sender's responsibility to ensure timely receipt by other means.

- Objections may be hand-delivered to the

Regional Office, 1220 SW 3rd Avenue, Portland, OR, 97204. Hand deliveries can occur between 8:00 AM and 4:30 PM, Monday through Friday except legal holidays.

- Objections may also be faxed to: Regional Forester, Attn: 1570 Objections at (503)-808-2339.

Objections must be received by the Reviewing Officer, Regional Forester (or postmarked if submitted via US Mail), within 45 days from the date of publication or notice of the objection in The Bulletin, Bend, OR. Objections delivered by mail must be received before the close of the fifth business day after the objection filing period. The publication date is the exclusive means for calculating the time to file an objection. Those wishing to file an objection should not rely upon dates or timeframe information provided by any other source.

For additional information concerning the specific activities authorized with this draft decision, you may contact: Cristina Peterson by phone (541) 383-4028 or email cristinapeterson@fs.fed.us or Alicia Underhill by phone (541) 383-4012 or email aunderhill@fs.fed.us.